

U.S. Patent Application No. 10/571,081
Response to Restriction Requirement and
Election of Species Requirement dated August 20, 2007
Reply to Office Action of July 24, 2007

REMARKS/ARGUMENTS

Reconsideration and continued examination of the above-identified application are respectfully requested.

At page 2 of the Office Action, the Examiner is requesting that the applicant elect from one of six groups as follows:

- Group I: Claims 1-12, drawn to drug screening assay.
- Group II: Claim 13, drawn to a drug.
- Group III: Claim 14, drawn to reagent kit.
- Group IV: Claims 15-16, drawn to oligonucleotide primer.
- Group V: Claims 17-18, drawn to protein coding sequence
- Group VI: Claims 19-20, drawn to SARS protein.

To be responsive, the applicants elect, with traverse, Group I, Claims 1-12, drawn to a drug screening assay. Further, regarding the election of species requirement, the applicants elect, with traverse, RNA polymerase as the protein type, (+)RNA virus as the protein origin, and autoproteolysis as the activity measured. Of the elected invention, claims 1-12 read on the elected species.

For the following reasons, the restriction requirement is respectfully traversed.

With regard to the claims, it is respectfully submitted that all claims should be examined at this time since there appears to be no serious burden on the part of the Examiner to search the entire scope of the claims.

The applicants respectfully point out to the Examiner that unity exists since the PCT search authority clearly examined each of these claims, thus showing unity under PCT Rule 13.1. Further, the subject matter has the same concept from the standpoint that the searches would

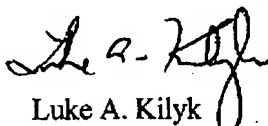
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overlap. Under M.P.E.P. § 803, if there is no serious burden in the examination of all of the claims even if the claims are directed to separate inventions, the Examiner must examine all claims at this time. It would appear that § 803 applies to the current situation and therefore the restriction requirement should be withdrawn and all claims should be examined at this time.

If there are any fees due in connection with the filing of this response, please charge the fees to Deposit Account No. 50-0925. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such extension is requested and should also be charged to said Deposit Account.

Respectfully submitted,


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